



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

August 26, 2004

IN REPLY PLEASE
REFER TO FILE:

MP-5

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION OF INTENTION TO VACATE A PORTION OF THE ALLEY
NORTH OF WHITTIER BOULEVARD - EAST LOS ANGELES
FUTURE PUBLIC HEARING
SUPERVISORIAL DISTRICT 1
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the enclosed Resolution of Intention to Vacate a portion of the alley north of Whittier Boulevard, between Amalia Avenue and Hill View Avenue, in the unincorporated County area known as East Los Angeles, pursuant to Section 8320, et seq., of the California Streets and Highways Code.
2. Set the matter for hearing not less than 15 days from the adoption of the Resolution pursuant to Section 8320 of the Streets and Highways Code.
3. Instruct the Executive Officer of the Board to publish the enclosed Notice of Proposed Vacation pursuant to Section 8322 of the Streets and Highways Code.

AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT YOUR BOARD:

Adopt the enclosed Resolution to Vacate on the date of the hearing, pursuant to Section 8324 of the Streets and Highways Code, after finding that:

1. The vacation is categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. The area proposed to be vacated is no longer needed for present or prospective public use, including bicycle paths and trails.
3. The public convenience and necessity require the reservation and exception of easements and rights as set forth in Section 8340 of the Streets and Highways Code.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Whittier Boulevard Associates, LLC, the underlying fee owner, requested this vacation to remove from the record all public easement rights within its properties. The alley serves mainly as access to the applicant's office building on the south side and its parking area on the north side. The applicant owns the lots adjoining the alley, and the closure/vacation will have no adverse effect on any other property. The vacation consolidates the owner's properties which are separated by this alley.

It is in the County's interest to vacate a portion of the alley as it no longer serves the purpose for which it was dedicated. Additionally, the County's approving agencies have determined that the alley is not necessary for general public access, circulation, or for bicycle paths or trails. The vacation will not eliminate access to adjacent properties or negatively impact the surrounding properties.

Implementation of Strategic Plan Goals

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility as the vacation of a portion of the alley will result in added revenue through assessment and taxation, eliminate unnecessary maintenance cost, and remove possible County exposure to liability.

FISCAL IMPACT/FINANCING

Vacation of a portion of the alley will not have a negative fiscal impact on the County's budget. The applicant has paid a fee of \$1,500 to defray the expense of investigation, mailings, publications, and posting. The fee was authorized by your Board in a Resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 3,600 square feet and is shown on the map attached to the Resolution.

In 1923, the County's interest was acquired as an easement for alley purposes by dedication on the Map of Tract No. 6944, recorded in Book 72, page 56, of Maps, on file in the Office of the Recorder of the County of Los Angeles.

The Public Streets and Highways Code and the Service Easement Vacation Law allow your Board to voluntarily relinquish the County's interest and terminate the public's rights over the alley. Adoption by your Board of the Resolution to Vacate will terminate the rights of the public to use the vacated area and disposes of excess County right of way. Your action will also result in the properties being unencumbered of the public easement, thereby allowing the underlying fee owner to exercise its reversionary rights over the vacated area.

ENVIRONMENTAL DOCUMENTATION

With respect to the requirements of CEQA, this proposed vacation is categorically exempt as specified in Classes 5, 12, and 21 of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Sections 15305, 15312, and 15321 of the State CEQA Statutes and Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The County of Los Angeles Fire Department has found that no fire protection facilities will be affected by the proposed vacation. The County of Los Angeles Regional Planning Commission has determined that the proposed vacation of a portion of the alley does not conflict with the County-adopted General Plan and that the right of way is not suitable for bicycle paths or trails.

The existing easement rights for utility facilities will be reserved to California Water Service Company, Pacific Bell Telephone Company (SBC), Southern California Edison Company, and to the County of Los Angeles for sanitary sewer purposes.

The Honorable Board of Supervisors
August 26, 2004
Page 4

CONCLUSION

This action is in the County's best interest. Enclosed are a Resolution of Intention to Vacate and a Resolution to Vacate, both approved as to form by County Counsel, vacating a portion of the alley north of Whittier Boulevard. Upon adoption of the Resolution of Intention to Vacate, please transmit two conformed copies of the Resolution and the Notice of Proposed Vacation to our office, which will post the Notice pursuant to Streets and Highways Code Section 8323. Upon adoption of the Resolution to Vacate, please return one executed original, two conformed copies, and a copy of the Board's minute order for further processing. We will record the Resolution and return the executed original Resolution to you when recorded. In the interim, please retain one executed original for your files.

One approved copy of this letter is requested.

Respectfully submitted,

DONALD L. WOLFE
Interim Director of Public Works

CVC:bw
P5:2028CBRDLTR

Enc.

cc: Chief Administrative Office
County Counsel

RESOLUTION OF INTENTION TO VACATE

WHEREAS, it is proposed that a portion of the alley north of Whittier Boulevard be vacated as a County highway; and

WHEREAS, the proposed vacation was approved by the Director of the County of Los Angeles Department of Public Works.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles, State of California, that it is the intention of said Board of Supervisors to order that the aforementioned right of way, legally described in Exhibit "A", and as shown by the map in Exhibit "B", both attached hereto and incorporated herein by this reference covering the right of way in the County of Los Angeles, State of California, be vacated pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320.

NOW THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, the _____ day of _____, 20_____, at the hour of _____ a.m./p.m. of said day, is the day and the hour, and the Hearing Room of the Board of Supervisors, 381 Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012, is the place fixed by the Board of Supervisors when and where any and all persons having objections to the proposed vacation may appear before said Board of Supervisors and show cause why said proposed vacation should not be made in accordance with this Resolution.

IT IS FURTHER ORDERED that a notice of such proposed vacation is to be conspicuously posted, along the line of the area proposed to be vacated, in the manner and in the form required by law, and shall cause the same to be published in _____ , a newspaper of general circulation published in the County, for at least two successive weeks prior to the day fixed for the hearing.

The foregoing Resolution was on the _____ day of _____, 20____, adopted and ordered by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

APPROVED AS TO FORM

OFFICE OF THE COUNTY COUNSEL

By _____
Deputy

By _____
Deputy

CVC:bw
P5:2028CBRDLTR

**NOTICE OF PROPOSED VACATION OF A PORTION OF THE
ALLEY NORTH OF WHITTIER BOULEVARD IN THE VICINITY OF
EAST LOS ANGELES IN THE FIRST SUPERVISORIAL DISTRICT**

NOTICE IS HEREBY GIVEN that a Resolution of Intention was adopted by the Board of Supervisors of the County of Los Angeles on _____ 20____, declaring its intention to vacate a portion of the alley north of Whittier Boulevard (East Los Angeles, California 90022) in the First Supervisorial District, as described in Exhibit "A", and as shown by the map in Exhibit "B", both attached hereto and incorporated herein by reference.

The vacation proceeding is conducted pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code of the State of California, commencing with Section 8320.

A hearing on the proposed vacation will be held in the Hearing Room of the Board of Supervisors, Room 381, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012, on _____, 20____, at _____a.m./p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California, adopted _____, 20_____.

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

APPROVED AS TO FORM

OFFICE OF THE COUNTY COUNSEL

By _____
Deputy

By _____
Deputy

CVC:bw
P5:2028CBRLTR

RESOLUTION TO VACATE

WHEREAS, the Board of Supervisors of the County of Los Angeles, State of California, did on _____, 20____, adopt the Resolution of Intention to Vacate as a County highway/easement a portion of the alley north of Whittier Boulevard, in the vicinity of East Los Angeles, in the County of Los Angeles, State of California, legally described in Exhibit "A", and as shown by map in Exhibit "B", both attached to said Resolution; pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320; and

WHEREAS, pursuant to said Resolution, a notice of proposed vacation has been given by publication and by posting; and

WHEREAS, said Board of Supervisors held a public hearing on said proposed vacation on _____ 20____; and

WHEREAS, said Board of Supervisors has found and determined that the area to be vacated is no longer necessary for present or prospective public use based upon the fact that the subject right of way is not required for general public access or circulation, including bicycle paths and trails;

NOW THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, that the above-referenced right of way is hereby vacated pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320; reserving and excepting therefrom easements and rights for utility facilities owned by the California Water Service Company, Pacific Bell Telephone Company (SBC), Southern California Edison Company, and for sanitary sewer purposes to the County of Los Angeles as set forth in Sections 8340 and 8341 of said Streets and Highways Code;

AND BE IT FURTHER RESOLVED that the Department of Public Works be authorized to record the certified original Resolution in the Office of the Recorder of the County of Los Angeles, at which time the area vacated will no longer be a County highway/easement.

The foregoing Resolution was on the ____ day of _____, 20____,
adopted by the Board of Supervisors of the County of Los Angeles, State of California.

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

APPROVED AS TO FORM

OFFICE OF THE COUNTY COUNSEL

By _____
Deputy

By _____
Deputy

CVC:bw
P5:2028CBRDLTR

ALLEY NORTH OF WHITTIER BOULEVARD

A.M.B. 6341-039

T.G. 675 H/1

I.M. 36 A/3 (114-237)

S.D. FIRST DISTRICT

Job No. M0588101

EXHIBIT "A"

Legal Description

That portion of that certain ALLEY, 15 feet wide, in the unincorporated territory of the County of Los Angeles, State of California, as shown on and dedicated to the public use by map of Tract No. 6944, recorded in Book 72, page 56, of Maps, in the Office of the Recorder of said County, which lies southerly and adjoins Lots 71 and 72, of said tract.

EXCEPTING therefrom the westerly and easterly 5 feet thereof.

RESERVING to the County of Los Angeles an easement for sanitary sewer purposes over the above-described portion of that certain ALLEY herein being vacated.

ALSO RESERVING to the California Water Service Company, SBC (Pacific Bell Telephone Company), and Southern California Edison Company, an easement for public utility purposes in, over, and across the above-described portion of that certain ALLEY herein being vacated.

Containing 3,600± square feet.

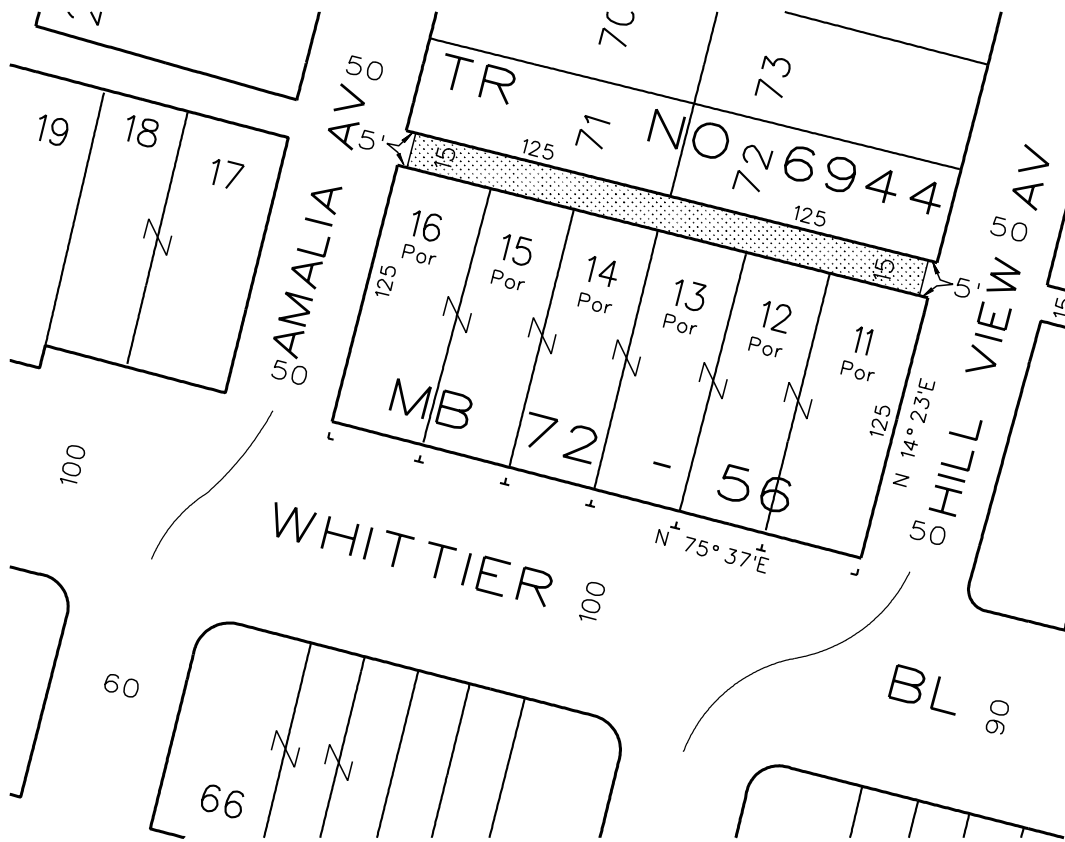
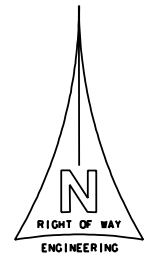
Description Approved

DONALD L. WOLFE
Interim Director of Public Works

By _____
Deputy

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the Land Surveyors Act.

RVM:bw
P5:1909C



SUBJECT LOCATION

EXHIBIT "B"



LEGEND



Proposed Vacation

Area = 3,600± square feet

REVISIONS

1.

2.

3.

DEPARTMENT OF PUBLIC WORKS

MAPPING & PROPERTY MANAGEMENT DIVISION

S.D.
1

R.D.
142

A.M.B.
6341-039

T.G.
675 H/1

**ALLEY
N/O WHITTIER BOULEVARD**

**DRAWING NO.
M0588101**

SCALE
NONE

DATE
4/22/03

I.M.
36 A/3 (114-237)

Between Amalia Avenue and
Hill View Avenue

previously
M0388111